

**COMMITTEE MINUTES for
JUSTICE SYSTEM
APPROPRIATIONS SUBCOMMITTEE**

Date: March 26, 2002

Place: Rm 24

Convened: 9:48 AM **Recessed:** 12:07 PM **Reconvened:** 6:00 PM **Adjourned:** 7:30 PM

Present: Senators Angelo-CH, McKean-VC, Dvorsky-RM, Fraise, Maddox
Representatives Horbach-CH, Eichhorn-VC, Bell-RM, Cormack, Jacobs, Larkin, Manternach,
Richardson, Shey, Tremmel

Absent:

Excused:

Representative Horbach called the meeting to order. Roll was called and a quorum established.
Representative Cormack moved to approve the minutes from the previous meeting. The motion prevailed.

Representative Horbach recognized Senator Angelo for LSB 6022.

Senator Dvorsky requested that the Democrats caucus.

Upon return, Representative Horbach once again recognized Senator Angelo for opening comments on LSB 6022.

Representative Horbach recognized Senator Fraise for amendment .201. Senator Fraise withdrew the amendment.

Representative Horbach then recognized Senator Angelo for opening comments on amendment .201. Questions followed. Senator Angelo made closing remarks and moved to adopt the amendment. The amendment was adopted by a voice vote.

Representative Horbach recognized Senator Angelo for amendment .203. Senator Angelo moved to adopt the amendment. The amendment was adopted by a voice vote.

Representative Horbach recognized Representative Jacobs for amendment .501. Representative Jacobs moved to adopt the amendment. The amendment was adopted by a voice vote.

Representative Horbach recognized Senator Angelo for opening comments on amendment .701. Questions followed. Representative Richardson moved to defer on the amendment. Representative Jacobs objected. The committee agreed to defer the amendment.

Representative Horbach recognized Senator Angelo for opening comments on amendment .204. Questions followed. Senator Dvorsky moved to defer on the amendment. The amendment was deferred.

Representative Horbach recognized Senator McKean for opening comments on amendment .702. Senator Dvorsky moved to defer. The amendment was deferred.

As there were no further amendments to the bill, Representative Horbach requested that the Republicans caucus.

Upon return, Representative Horbach called the meeting back to order. He recognized Senator Angelo who moved to defer on LSB 6022. The motion carried.

Representative Horbach recognized Senator Angelo for opening comments on LSB 6021.

Representative Horbach recognized Senator Angelo for opening comments on amendment .702. Questions followed. Representative Horbach asked for unanimous consent to recognize Kip Kautzky, Director of the Department of Corrections. Questions followed. Representative Horbach recognized Senator Angelo for closing remarks. Senator Angelo moved to adopt the amendment. The amendment was adopted by a voice vote.

Representative Horbach recognized Senator Fraise for amendment .304. Senator Fraise asked to defer to amendment .201. Senator Fraise then requested that amendment .201 be divided. He moved for lines one through thirteen to be designated Section A, and for lines fourteen through thirty-eight to be designated Section B, and for Section B to be deleted.

Representative Horbach recognized Senator Fraise for amendment .304, an amendment to the amendment .201. Senator Fraise moved to adopt amendment .304. The amendment was adopted by a voice vote.

The committee was now back on amendment .201. Questions followed. Senator Fraise was recognized for closing remarks on the amendment. A record roll call vote was taken. Those voting aye were Senators McKean, Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel. Those voting nay were Senators Angelo and Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach. The amendment failed.

Representative Horbach recognized Senator Dvorsky for amendment .306. Questions followed. Senator Dvorsky was recognized for closing remarks. A record roll call vote was taken. Those voting aye were Senators Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel. Those voting nay were Senators Angelo, McKean and Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach. The amendment failed.

Representative Horbach recognized Representative Cormack for amendment .504. Questions followed. Representative Cormack was recognized for closing remarks. He moved that the amendment be adopted. The amendment was adopted by a voice vote.

Senator Angelo moved to defer on the remaining amendments and LSB 6021.

Representative Horbach moved to recess until 6 p.m.

Representative Horbach resumed the meeting when a quorum was established. Representative Horbach stated the committee would continue working on LSB 6021JA, making appropriations to the Justice System. Representative Horbach recognized Senator Dvorsky for amendment .305. Senator Dvorsky requested the amendment be divided, with division A being lines 1 through 4, and division B being the remainder of the amendment. He asked to withdraw division B. Unanimous consent was granted. Senator Dvorsky moved division A, which failed on a voice vote.

Representative Horbach recognized Representative Larkin for amendment .503. Representative Larkin moved amendment .503 which failed on a record roll call vote. Those voting aye were Senators Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel. Those voting nay were Senators Angelo, McKean and Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach.

Representative Horbach recognized Senator Dvorsky for amendment .301. Senator Dvorsky requested the amendment be divided, with division A being lines 1 through 4, and division B being the remainder of the amendment. He asked to withdraw division B. Unanimous consent was granted. Senator Dvorsky moved division A, which failed on a record roll call vote. Those voting aye were Senators Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel. Those voting nay were Senators Angelo, McKean, Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach.

Representative Horbach recognized Representative Tremmel for amendment .309. Representative Tremmel requested unanimous consent to withdraw the amendment, which was granted.

Representative Horbach requested unanimous consent to transfer the Chair to Vice Chair Representative Eichhorn. Unanimous consent being granted, Representative Eichhorn recognized Representative Horbach for Amendment .308. Representative Horbach moved amendment .308 which passed on a voice vote.

Representative Eichhorn requested unanimous consent to transfer the Chair to Representative Horbach. Unanimous consent being granted, Representative Horbach recognized Representative Richardson for amendment .302. Rep Richardson moved Amendment .302, which passed on a voice vote.

Representative Horbach requested unanimous consent to transfer the Chair to Vice Chair Representative Eichhorn. Unanimous consent being granted, Representative Eichhorn recognized Representative Horbach for amendment .502. Representative Horbach moved amendment .502 which passed on a voice vote.

Representative Eichhorn requested unanimous consent to transfer the Chair to Representative Horbach. Unanimous consent being granted, Representative Horbach recognized Senator Maddox for amendment .703. Senator Maddox requested unanimous consent to withdraw the amendment, which was granted.

Representative Horbach recognized Representative Manternach for amendment .202. Representative Manternach moved amendment .202. The amendment failed on a record roll call vote. Those voting aye were Senators McKean and Maddox and Representatives Eichhorn, Cormack and Manternach. Those voting nay were Senators Angelo, Dvorsky and Fraise and Representatives Horbach, Bell, Jacobs, Larkin, Richardson and Tremmel.

Representative Horbach recognized Senator Dvorsky for Amendment .307. Senator Dvorsky requested unanimous consent to withdraw the amendment, which was granted.

Representative Horbach recognized Senator Angelo, who moved LSB 6021JA as amended, which passed on a record roll call vote. Those voting aye were Senators Angelo, McKean and Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach. Those voting nay were Senators Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel.

Representative Horbach announced the Committee would take up LSB 6022JA, making appropriations to the Judicial Branch.

Representative Horbach called up amendment .701 to LSB 6022JA, which had previously been deferred. Senator Angelo moved the amendment which passed on a voice vote.

Representative Horbach called up amendment .204 which had previously been deferred. Senator Angelo moved the amendment which passed on a voice vote.

Representative Horbach called up amendment .702 which had previously been deferred. Senator McKean Stated that there was an amendment to the amendment. Representative Horbach recognized Senator Dvorsky for amendment .703, which amends amendment .702. Senator Dvorsky moved the amendment, which passed on a voice vote. Representative Horbach recognized Senator McKean for amendment .702, who moved the amendment as amended, which passed on a voice vote.

Representative Horbach recognized Senator Angelo, who moved LSB 6022JA as amended, which passed on a record roll call vote. Those voting aye were Senators Angelo, McKean and Maddox and Representatives Horbach, Eichhorn, Cormack, Jacobs and Manternach. Those voting nay were Senators Dvorsky and Fraise and Representatives Bell, Larkin, Richardson and Tremmel.

Representative Cormack moved to adjourn.